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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/679,335

10/07/2003

Nobushige Aoki

03500.017642

2654

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7590

03/21/2008

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EXAMINER

HASSAN, AURANGZEB

ART UNIT

PAPER NUMBER

2182

MAIL DATE

DELIVERY MODE

03/21/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/679,335	<b>Applicant(s)</b> AOKI ET AL.	
	<b>Examiner</b> AURANGZEB HASSAN	<b>Art Unit</b> 2182	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_ is/are pending in the application.  
     4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
     a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____.                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____.  | 6) <input type="checkbox"/> Other: ____.                          |

**DETAILED ACTION**

***Claim Objections***

1. Claims 32 - 35 are objected to because of the following informalities: the claims contain "and print the received" and "and print the generated" in lines 4 and 5 respectively.

Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 5, 20 - 22 and 25 - 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narusawa et al. (US Publication Number 2003/0085942 hereinafter "Narusawa") in view of Leslie (US Publication Number 2003/0142325).

4. As per claims 1 and 25, Narusawa teaches a print system and method, in which a printer (printer 1, figure 1) and a host computer (paragraph [0085]), each of which includes a

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communication interface for transmitting and receiving information in real time (communication via interface 29, figure 2); are connected to each other to communicate with each other, comprising:

the printer comprising:

a read-out unit (13, figure 1) for reading out image data from a recording medium for recording the image data (reads image data from detachable recording medium);

an operation panel for receiving an instruction from a user (user interface, figure 5);

an operation panel controller for, in response to receiving the instruction with the operation panel, generating print setting information of an interruption event (interrupt generation, paragraph [0083]), and transmitting the print setting information (paragraph [0086]); and

a printer engine for performing printing (print engine 28, figure 2).

Narusawa teaches an embodiment of a stand-alone printer in which an interrupt is generated and transmitted within the printer and printer controller however does not explicitly describe notifying a host computer of the interrupt event. However it would have been obvious to one of ordinary skill in the art to utilize the printer of Narusawa with a host computer

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via the communication interface (host computer can be connected via interface 29, figure 2, paragraph [0085]), therein the host computer receiving a notification of an interrupt event from the printer. One of ordinary skill in the art would be motivated to make such modification in order to have increased flexibility in data printing (paragraphs [0003,0004 & 0085]).

Narusawa does not explicitly disclose a transmission unit in the printer and the details of the functionality of the host computer.

Leslie teaches a printer communicating with a host computer wherein,

the printer (14, figure 1) comprises:

a transmission unit for transmitting the image data which is read out by the read-out unit (transmission unit carries out step 74 to 76 in transmitting the print setting to the host computer, paragraph [0041]); and

the host computer (12, figure 1) comprising:

receiving means for receiving the print setting information from the printer (host computer receives print image data, paragraph [0041]);

an interruption controller for detecting the interruption even notified by the printer (host computer utilizes built-in

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controller to recognize the transmission of data from the printer, 18, figure 1); and

display control means (16, figure 1) for causing a display apparatus to effect a print preview display, in response to detecting the interruption event by the interruption controller (in response to the interrupt and transmitted data, host displays print setting on 16a, figure 1, paragraphs [0041 - 0042]).

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to enhance the print preview function of Narusawa with the image updates on the host display of Leslie. One of ordinary skill would be motivated to make such modification in order to enhance a true depiction of data printing (paragraph [0012]).

The Examiner makes a note to the Applicant that Narusawa teaches an interrupt controller for detecting print settings on the printer along with a display which responds with a preview of the settings established by the user in the embodiment of a digital camera as seen in figure 12. Narusawa states that a computer, mobile telephone and portable remote terminals also have all of the same functionality as described for the digital camera (paragraphs [0085 & 0126]).

5. As per claims 5 and 26, Narusawa teaches a print system and method, wherein the printer includes a direct print controller for effecting printing not through the computer so that printing is executable with the printer alone (stand-alone printer, paragraph [0078]).

6. As per claims 20 and 27, Narusawa teaches a print system and method, wherein the host computer further comprises generating means for receiving image data read out from a memory card detachably loaded to the printer (memory card 2 is attachable to card slot 13, figure 1), and generating print data corresponding to the print setting information, from the received image data (paragraph [0118]).

7. As per claims 21 and 28, Narusawa teaches a print system and method, wherein at every interruption event, the display control means causes the display apparatus to effect the print preview display in which the print setting information changed at every interruption event is reflected (user pushes various buttons and the selected print-condition setting file is effected, figure 14, paragraph [0118]).

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8. As per claims 22 and 29, Narusawa teaches a print system and method, wherein the printer starts printing on the basis of the print data received from the host computer which receives the interruption event corresponding to an operation of a print start button disposed on the operational panel (paragraphs [0120-0121]).

9. As per claims 32 and 34, Narusawa/Leslie teaches a system and method wherein the print system is arranged so that in a case where the host computer effects the print preview display, the host computer generates print data and the printer receives the print data generated by the host computer and print the received print data (step 68, result of "YES" figure 5), and in case where the host computer does not effect the print preview display, the printer generates print data and print the generated print data (step 68, result of "NO" figure 5).

10. Claims 23, 24, 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narusawa.

11. As per claims 23 and 30, Narusawa teaches a print system and method, in which a printer (figure 1) and a host (element 3, figure 12), each of which includes a communication interface for



transmitting and receiving information in real time (USB figure 12), are connected to each other to communicate with each other, the host comprising:

receiving means for receiving image data read out by the printer from a memory card detachably loaded to the printer (camera reads memory card, paragraph [0118]);

detecting means for detecting an interruption event transmitted from the printer to the host (interrupt generation, paragraph [0083] in communication with host [0085]), in accordance with an instruction from a button disposed on an operation panel of the printer (figure 5); and

print preview display control means for (element 139, figure 13), in response to the interruption event, obtaining a print setting set with the operation panel (setting from panel save in memory card, paragraph [0118]) and controlling to cause a display apparatus of the host to effect a print preview display by applying the obtained print setting to the received image data in which the print setting is reflected (figure 15).

Narusawa does not explicitly disclose the functionality of the host is comprised in the host computer, however does say that the host can be a host computer interchangeably with full functionality (paragraphs [0085 & 0126]).

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It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to utilize the host computer environment or the digital camera environment interchangeably as taught by Narusawa (paragraphs [0085 & 0126]). One of ordinary skill would be motivated to utilize such environment to accommodate a user-friendly interface (paragraph [0009]).

12. As per claims 24 and 31, Narusawa teaches a print system and method, wherein the print preview display control means updates the print preview display every time the print setting is changed in accordance with the operation of the operation panel (selected print condition is effected, paragraphs [0118-0119]).

13 As per claims 33 and 35, Narusawa/Leslie teaches a system and method wherein the print system is arranged so that in a case where the host computer effects the print preview display, the host computer generates print data and the printer receives the print data generated by the host computer and print the received print data (step 68, result of "YES" figure 5), and in case where the host computer does not effect the print preview

display, the printer generates print data and print the generated print data (step 68, result of "NO" figure 5).

### ***Response to Arguments***

14. Applicant's arguments filed 1/9/2008 have been fully considered but they are not persuasive.

The Applicant argues:

1) Cited references do not disclose printer connected to a host computer wherein the printer transmits image data, read from a medium, to the host computer which in turn generates a print preview display on the basis of the received image data.

2) Narusawa does not teach a transmission unit to transfer image data to a host computer to generate a print preview display.

3) Leslie does not disclose or suggest that the external apparatus is arranged to effect print preview display of the image data.

15. As per argument 1, the Examiner respectfully disagrees. The Applicant argues that the process generates a preview on the basis of the received image data which the Examiner notes is not necessitated by the claims. In response to applicant's argument that the references fail to show certain features of applicant's

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invention, it is noted that the features upon which applicant relies (i.e., effect print preview display on the basis of the received image data) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

16. As per argument 2, the Examiner respectfully disagrees. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). The Examiner does not rely solely on Narusawa for the claim limitations but in particular relies upon Leslie for teachings of a transmission unit from the printer to the host computer.

17. As per argument 3, the Examiner respectfully disagrees. The Applicant argues that the image to be previewed is generated on the PC side and not from the printer therefore Leslie does not teach the claim invention. However the Examiner notes that

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the claims were rejected according to a combination of Narusawa and Leslie. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Furthermore the Examiner notes other rationale that Narusawa teaches interrupt generation, capability of connecting to an external apparatus and detachable recordable media (host computer and camera with printer, figure 1) and Leslie teaches a printer determining print settings related to image data and communication between a printer and host therein (figure 5).

All of the component parts of Narusawa and Leslie were known at the time of the Applicant's claimed invention the only difference is the combination of the known elements in a single print system thus it would have been obvious to one of ordinary skill in the art to combine all the elements in a single print system to yield a predictable results of printing image data.

### **Conclusion**

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Publication

Number 2005/0275872 teaches a printer with a memory card reader integrated on the surface of the printer further coupled to a computer. The system allows for data enhancement of images stored on the card and the Examiner further cites the functionality of an operating system and the print preview functionality inherited therein. Operating systems further include drivers to handle and process interrupts from devices that are connected to the computer. The Examiner also makes US Publication Number 2002/0054350 of record as pertinent prior art as it teaches a printer with memory card and stand-alone capabilities as well as functionality of being coupled with a computer. As well as copending application US Publication Number 2004/0080778 which teaches all of the components of the current application with the variation of the operational panel being external of the printer.

19. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened

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statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AURANGZEB HASSAN whose telephone number is (571)272-8625. The examiner can normally be reached on Monday - Friday 9 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Henry Tsai can be reached on (571)272-4176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AH

**/Henry W.H. Tsai/**

Supervisory Patent Examiner, Art Unit 2184